

Docket No.: 50060/50007
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hassan Zahouani et al.

Application No.: 10/598,445

Confirmation No.: 5275

Filed: August 30, 2006

Art Unit: To be assigned

For: Triboacoustic Probe

Examiner: To be assigned

**PETITION FOR REVIVAL OF AN UNINTENTIONALLY
ABANDONED PATENT APPLICATION PURSUANT TO 37 CFR 1.137(b)**

Attn: Office of Petitions
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Commissioner:

- (1) The above-referenced application was filed on August 30, 2006 under U.S. Patent Application Serial No. 10/598,445. A copy of the electronic filing receipt is enclosed herewith as Exhibit A.
- (2) At the time of filing, the filing fee was not paid. This was an unintentional error.
- (3) However, no notice of missing parts or requirements was ever issued by the U.S. Patent and Trademark Office and the failure to pay the fee was not further brought to our attention.
- (4) Yesterday, on August 22, 2007, our office received a copy of a notice of abandonment dated August 20, 2007 (See Exhibit B). Applicants are therefore immediately filing this petition to revive the unintentionally abandoned application. Pursuant to the provisions of 37 CFR 1.137(b) this petition includes the necessary filing fees (\$900.00), the petition fees under 37 CFR 1.17(m) (\$1,500.00) and the following statement: the entire delay in filing the required reply from the due date for the reply

until the filing of a grantable petition pursuant to this paragraph was unintentional. No terminal disclaimer is required.

In light of the foregoing, applicants respectfully request revival of the above referenced application.

Dated: August 23, 2007

Respectfully submitted,

By


Thomas A. Miller

Registration No.: 40,091

MILLER, MATTHIAS & HULL

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EXHIBIT A

Electronic Acknowledgement Receipt

EFS ID:	1179121
Application Number:	10598445
Confirmation Number:	5275
Title of Invention:	Triboacoustic Probe
First Named Inventor:	Hassan Zahouani
Customer Number:	57726
Filer:	Thomas Arthur Miller /Anna Fineran
Filer Authorized By:	Thomas Arthur Miller.
Attorney Docket Number:	28944/50045
Receipt Date:	30-AUG-2006
Filing Date:	
Time Stamp:	17:03:15
Application Type:	U S National Stage under 35 USC 371
International Application Number:	PCT/FR05/00526

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1		20060830154937471.pdf	1207800	yes	30

Multipart Description			
	Doc Desc	Start	End
	Application Data Sheet	1	3
	Preliminary Amendment	4	10
	Translation of Foreign Priority Documents	11	30
Warnings:			
Information:			
Total Files Size (in bytes):		1207800	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>			

EXHIBIT B

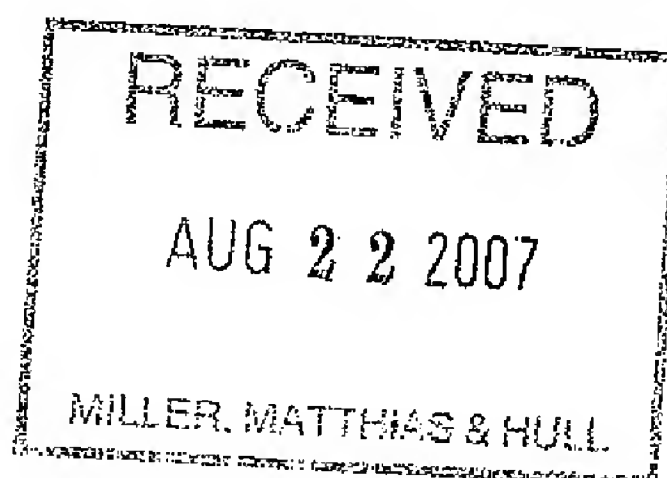


UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/598,445	Hassan Zahouani	28944/50045 50060/5000

57726
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INTERNATIONAL APPLICATION NO.	
PCT/FR05/00526	
I.A. FILING DATE	PRIORITY DATE
03/04/2004	

CONFIRMATION NO. 5275

371
 ABANDONMENT/TERMINATION
 LETTER



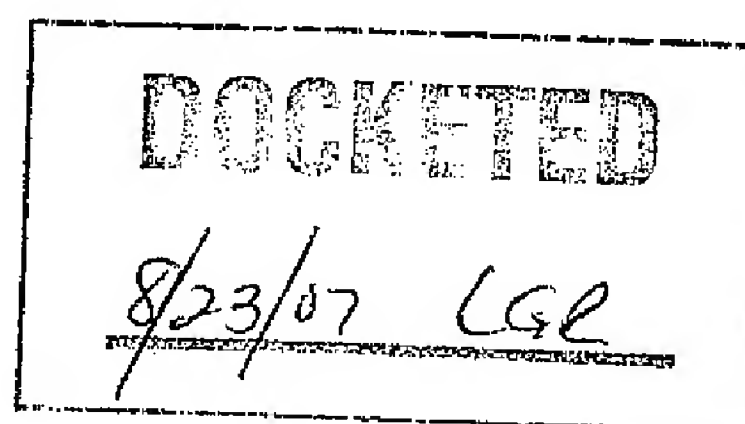
OC000000025454304

Date Mailed: 08/20/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).



Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)